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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/759,215

01/16/2001

Thomas W. Krause

1823

35197

7590

10/21/2004

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EXAMINER

EHICHIOYA, FRED I

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/759,215	KRAUSE, THOMAS W.	
	Examiner	Art Unit	
	Fred I. Ehichioya	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE and Preliminary amendments, both filed 10/03/2004 to the original application filed 01/16/01.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/12/2004 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1 - 22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 15, 16, 18, 19, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,069,848 issued to Thomas B. McDonald et al (hereinafter "McDonald") in view of Non-Patent literature "Born This Day – A book of birthdays and quotations of prominent people through the centuries", by Robert A. Nowlan (hereinafter "Nowlan").

Regarding claim 1, McDonald teaches a computer-implemented method for providing a user with age-event information comprising:

- a) receiving an input signal (see column 6, lines 13 – 53);
- b) determining age information from said input signal (see column 6, lines 54 – 67 and column 9, lines 3 – 5); and
- c) providing an output signal comprising age-event information corresponding to said age information (see column 7, lines 59 – 65).

McDonald does not explicitly teach an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual.

Nowlan teaches an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual (see page 9, "1949 George Foreman").

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Nowlan with the teaching of McDonald

“wherein said age information comprises the age of a first individual on a specific date and said age-event information-comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date”. This can be deduced from Figs 3A – 3D of McDonald where the input signal is birthdate which is July 12, 1995. Using this date, it can be concluded that “On 07/12/2041, you will be exactly as old as George Foreman when he regained his world heavyweight championship after he lost the title to Muhammad Ali (he was 46 years of age)”; see Nowlan Page 9. The age of the first individual can be computed using the birthdate and depending on the current time and date. The specific date is 07/12/2041. An event that occurred in the life of a second individual is that George Foreman regained his World heavyweight championship at age 46 in 1994. The motivation to combine Nowlan and McDonald is that the system creates and interesting concepts to learn which prominent people in history and in the news today share one’s birthday, and to read some of the wit or wisdom of such individuals.

Regarding claims 2, 15 and 22, McDonald teaches the input signal comprises a date (see column 6, lines 13 – 53 and the date with reference to Figs 3A – 3D is “July 12, 1995”).

McDonald does not explicitly teach the output signal comprises a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date.

Nowlan teaches the output signal comprises a celebrity ageliner, wherein said celebrity ageliner names a celebrity and describes a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date (see page 9, "1949 George Foreman"; celebrity ageliner name is "George Foreman" and a historical event in the life of an individual that occurred when said individual was the age of said celebrity on said date is that George Foreman regained his World heavyweight championship at age 46 in 1994.).

The motivation to combine Nowlan and McDonald is that the system creates and interesting concepts to learn which prominent people in history and in the news today share one's birthday, and to read some of the wit or wisdom of such individuals.

Regarding claim 3, McDonald teaches the input signal comprises age information relating to a target individual, and the output signal comprises age-event information customized for said first individual, and the output signal includes a reference to said first individual (see Fig.1 and column 7, lines 59 - 65).

Regarding claim 4, McDonald teaches wherein the output signal further comprises a date (see Fig. 11 and column 9, lines 3 – 5).

Regarding claim 5, McDonald teaches the input signal comprises a birthdate (see column 6, lines 17 – 20).

Regarding claim 6, McDonald teaches said input signal represent an age (see column 6, lines 54 - 64).

Regarding claim 7, McDonald teaches the output signal is obtained by using said age information to select corresponding age-event information from database (see column 7, lines 59 - 65).

Regarding claims 8, 16 and 19, McDonald teaches the step of generating a customized greeting for said first individual, said greeting comprising age-event information (see column 8, lines 46 – 54).

Regarding claim 12, McDonald teaches the step of generating a life-chart for said first individual, wherein said life-chart comprises age-event information for at least two dates in the life of said first individual (see Fig.11 and column 9, lines 3 – 5).

Regarding claims 14 and 18, McDonald teaches a computer system for providing age-event information, comprising:

- computer processor means for processing data (column 2, lines 47 - 50);
- storage means for storing data on a storage medium (see column 2, lines 59 - 66);
- means for receiving input (see column 2, lines 53 - 56);

means for determining age information from said input (see column 6, lines 54 – 67 and column 9, lines 3 - 5); and

means, responsive to said age-determining means, for outputting age-event information to a user (see column 7, lines 59 - 65);

McDonald does not explicitly teach an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual.

Nowlan teaches an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual (see page 9, "1949 George Foreman").

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Nowlan with the teaching of McDonald "wherein said age information comprises the age of a first individual on a specific date and said age-event information-comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date". This can be deduced from Figs 3A – 3D of McDonald where the input signal is birthdate which is July 12, 1995. Using this date, it can be concluded that "On 07/12/2041, you will be exactly as old as George Foreman when he regained his world heavyweight championship after he lost the title to Muhammad Ali (he was 46 years of age)"; see Nowlan Page 9. The age of the first individual can be computed using the birthdate and depending on the current time and date. The specific date is 07/12/2041. An event that occurred in the life of a second

individual is that George Foreman regained his World heavyweight championship at age 46 in 1994. The motivation to combine Nowlan and McDonald is that the system creates and interesting concepts to learn which prominent people in history and in the news today share one's birthday, and to read some of the wit or wisdom of such individuals.

Regarding claim 21, McDonald teaches the computer-implemented method for providing a user with age-event information of claim 1, wherein the age information received in step a) is related to the age of a first individual (see column 6, lines 13 – 53), and said method further comprises:

McDonald does not explicitly teach input signal comprising the name of second individual.

Nowlan teaches receiving an input signal comprising the name of a second individual (see page 9, "1949 George Foreman");

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Nowlan with the teaching of McDonald "wherein said age information comprises the age of a first individual on a specific date and said age-event information-comprises information regarding an event that occurred in the life of a second individual when said second individual was at an age equal to the age of said first individual on said specific date". This can be deduced from Figs 3A – 3D of McDonald where the input signal is birthdate which is July 12, 1995. Using this date, it can be concluded that "On 07/12/2041, you will be exactly as old as George Foreman when he regained his world heavyweight championship after he lost the title to

Muhammad Ali (he was 46 years of age)”; see Nowlan Page 9. The age of the first individual can be computed using the birthdate and depending on the current time and date. The specific date is 07/12/2041. An event that occurred in the life of a second individual is that George Foreman regained his World heavyweight championship at age 46 in 1994. The motivation to combine Nowlan and McDonald is that the system creates and interesting concepts to learn which prominent people in history and in the news today share one’s birthday, and to read some of the wit or wisdom of such individuals.

Regarding claim 22, Reed teaches computer implemented method for providing a user with age-event information of claim 21, wherein said output signal further comprises at least one date in the life of said first individual, wherein the age of said first individual on said data is the same as the age of said second individual at the time of said event (see column 17, line 66 – column 18, line 1 - 17).

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald in view of Nowlan and further in view of USPN 5,031,161 issued to David Kendrick (hereinafter “Kendrick”).

Regarding claim 13, McDonald or Nowlan does not explicitly teach the steps of generating a life-clock display for said first individual, wherein said life-clock display comprises a symbolic representation of the amount of life an individual has lived and the

amount of life said first individual is expected to live before dying; and providing age-event information on said life-clock.

Kendrick teaches the steps of generating a life-clock display for said first individual, wherein said life-clock display comprises a symbolic representation of the amount of life an individual has lived and the amount of life said first individual is expected to live before dying (see Figs. 1 and 2; column 1, line 60 – column 2, line 4 and columns 4 – 6); and

providing age-event information on said life-clock (see fig.2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Kendrick with the teaching of McDonald and Nowlan to create a timepiece for monitoring and displaying the approximate time remaining in a user's life. The motivation is to provide a timepiece for estimating a lifespan of a user, which is settable by programming given events in the user's life.

6. Claims 9, 10, 11, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald in view of Nowlan and further in view of USPN 5,983,200 issued to Benjamin Slotznick (hereinafter "Slotznick").

Regarding claim 9, MCDonald or Nowlan does not explicitly teach the customized greeting is an electronic greeting card.

Slotznick teaches the customized greeting is an electronic greeting card (see column 1, lines 38 - 42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Slotznick with the teaching of McDonald and Nowlan wherein age-event information is an electronic greeting card. The motivation is that sending electronic greeting card is quicker than the traditional mail system.

Regarding claim 10, Slotznick teaches the customized greeting is a greeting card produced at a an automated greeting card kiosk (see column 1, lines 39 – 45).

Regarding claims 11, 17 and 20, Slotznick teaches the step of generating a customized calendar for the target individual (see Fig.5 step 95 and column 22, lines 23 – 28).

Conclusion

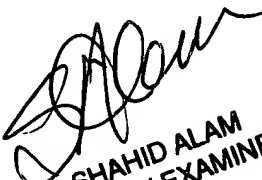
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 703-305-8039. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred I. Ehichioya
Patent Examiner
Art Unit 2162

October 11, 2004



SHAHID ALAM
PRIMARY EXAMINER